

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARIA RODRIGUEZ,)	
)	
Plaintiff,)	
)	
v.)	Case No. 22 CV 1979
)	
UNITED STATES OF AMERICA,)	Jury Trial Demanded
)	
Defendant.)	

COMPLAINT

Plaintiff, Maria Rodriguez, by her attorney, Arlo Walsman of the Arlo Law Office, hereby brings the following Complaint against Defendant, United States of America.

COUNT 1. NEGLIGENCE

1. Plaintiff is a resident of Chicago, Cook County, Illinois.
2. The United States Postal Service (“USPS”) is an independent establishment of the executive branch of the federal government of Defendant United States of America. 39 U.S.C. § 201.
3. On October 11, 2021, Plaintiff submitted an administrative claim regarding the motor vehicle collision at issue in this case to the USPS National Tort Center pursuant to 28 U.S.C. 2675.
4. On October 14, 2021, the USPS National Tort Center received Plaintiff’s administrative claim.
5. The USPS National Tort Center denied Plaintiff’s claim by failing to respond to it or make a final disposition of the claim within six months after it was received, by April 14, 2022.

6. This Court has jurisdiction over Plaintiff's claim pursuant to 28 U.S.C. § 1346(b) and 28 U.S.C. § 2674.

7. Venue is proper in the Northern District of Illinois pursuant to 28 U.S.C. 1391(b) because the events giving rise to Plaintiff's claim occurred in this venue.

8. On or about January 12, 2021, there existed a public road known as Diversey Parkway that ran east and west in Chicago, Cook County, Illinois.

9. On or about January 12, 2021, Plaintiff was operating a motor vehicle westbound on Diversey Parkway at or near 1529 West Diversey Parkway in Chicago, Cook County, Illinois.

10. On or about January 12, 2021, Larrie Boyle was operating a postal truck owned by the United States and/or the USPS westbound on Diversey Parkway at or near 1529 West Diversey Parkway in Chicago, Cook County, Illinois.

11. At all times relevant to this complaint, Larrie Boyle was an employee of the United States of America and/or the USPS.

12. At all times relevant to this complaint, Larrie Boyle was acting within the course of and scope of his employment with the United States of America and/or the USPS.

13. On or about January 12, 2021, the front of the motor vehicle being driven by Larrie Boyle came into contact with the rear of the motor vehicle being driven by Plaintiff.

14. On or about January 12, 2021, Defendant, through its agent Larrie Boyle, owed Plaintiff a duty to operate its vehicle safely and use ordinary care.

15. On or about January 12, 2021, Defendant, through its agent Larrie Boyle, breached the aforesaid duty of care and was guilty of one or more of the following negligent acts or omissions:

(a) Failing to keep a proper lookout.

- (b) Failing to reduce the speed of his vehicle to avoid a collision.
- (c) Failing to keep his vehicle under control.
- (d) Following Plaintiff too closely.

16. As a direct and proximate result of one or more of Defendant's negligent acts or omissions, the front of Defendant's vehicle made contact with the rear of Plaintiff's vehicle.

17. As a direct and proximate result of one or more of Defendant's negligent acts or omissions, Plaintiff sustained damages, including but not limited to bodily injuries, medical expenses, pain and suffering, emotional distress, loss of ordinary life, and disability.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendant in an amount in excess of one hundred thousand dollars (\$100,000.00), plus costs and prejudgment interest, along with any other relief deemed fair and just

Respectfully Submitted,

By: /s/ ARLO WALSMAN

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